

June 2, 2022

The regular meeting of the Ontario County Board of Supervisors was called to order at 6:33 p.m. via WebEx on ontariocounty.ny.webex.com and at 74 Ontario Street, Canandaigua, NY 14424, with Chairman John (Jack) Marren presiding.

The Pledge of Allegiance was led by Supervisor Peter Ingalsbe, Town of Farmington.

Upon roll call, members of the Board were present. Supervisors Mark Venuti, Christopher Vastola, and Lou Guard were declared necessarily absent.

Minutes of the preceding session was approved without being read by motion of Supervisor Todd Campbell, seconded by Supervisor Andrew Wickham; motion carried.

Supervisor David Baker stated for the record that he has not served with the County 25 years as was declared in recognition in the Board meeting on May 12, 2022.

A Public Hearing regarding Local Law 3 (Intro.) of 2022 entitled "Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal year 2023" was called to order at 6:36 pm by Chairman Jack Marren.

As no one wished to speak, the Public Hearing was closed at 6:37 pm.

County Administrator Chris DeBolt reported on the following:

- He welcomed the new Economic Developer, Ryan Davis.
- He announced as the new Deputy County Administrator, Alissa Bub, will beginning July 5th.
- The County will pursue a local government efficiency grant and shared service panel project submission for the roll out of the County's e-contracts system to all towns, villages, and cities who would like to participate.
- He thanked the Sheriff and the entire Corrections division; he was invited to a treatment group graduation ceremony for three incarcerated individuals who, during the course of their incarceration did a 6-week treatment program. He commended them for their growth.

County Attorney Holly Adams shared they have hired two attorneys in their office and announced her 1st Assistant County Attorney, Lea Nacca is leaving and is taking a position with Judge Doran.

Chairman Marren recognized that Gary Baxter, the County Treasurer was recognized by his colleagues around the state as a treasurer finance officer of the year for 2022 and a certificate of achievement for his services as past president of NYS Treasurer's Association.

Chairman Marren granted privilege of the floor to Supervisor Norm Teed for Ms. Eileen Cooley, resident of the Town of Phelps.

Chairman Marren granted privilege of the floor to Supervisor Andrew Wickham. Supervisor Wickham discussed the direction of the landfill and has been in discussions with Chairman Marren, County Administrator DeBolt, County Attorney Adams, and Director Jordan regarding the path going forward and what they should be doing. He said if the County landfill were to expand, the most logical area would be to the south which is owned by the Town of Seneca. He has expressed a responsibility to constituents to ask them what their feelings are on the landfill whether it should be closed or explore other

opportunities. He said next Tuesday (June 7th) they have called for a special meeting of the Town of Seneca's Board where they will hear a presentation from Causewave Group for a proposal to the Town Board to assist them in gathering public comment from the residents in the town regarding their feelings toward the landfill. They will likely go forward with town meetings if this is approved, and once they have garnered information, the town board will make a decision whether they want to do anything other than close the landfill. If they vote to close the landfill, it will be difficult, but not impossible, for the County to overrule them. If they choose to look at other options, then the County would be involved in exploring the options. Additional discussion took place with questions from Supervisor Baker and Vedora with Director Carla Jordan commenting additional information will be presented at the next Planning and Environmental Quality Committee.

Chairman Marren granted privilege of the floor to Supervisor Richard Russell. Supervisor Russell announced the Board will be receiving an invitation for a graduation ceremony that will be held for recipients who have earned their high school equivalency diploma. He said the date is June 23rd on the FLCC Campus. He explained the graduates that will be honored come from the college service area and many of them are from Ontario County with moving stories that motivated them to get that high school equivalency diploma.

Copies of the following communications are on file with the Clerk of the Board:

Copies received of minutes of meetings held as follows:

- a. Health and Human Services Committee held on May 2, 2022
- b. Planning and Environmental Quality Committee held on May 2, 2022
- c. Public Works Committee held on May 2, 2022
- d. Public Safety Committee held on May 4, 2022
- e. Governmental Operations and Insurance Committee held on May 4, 2022
- f. Ways and Means Committee held on May 4, 2022
- g. Special Planning and Environmental Quality Committee held on May 12, 2022
- h. CDCE/Community Council Committee held in May, 2022
- i. Seneca Watershed Intermunicipal Organization held on April 25, 2022

Resolution No. 45-2022 entitled "Introducing a Local Law and Calling a Public Hearing "Amending Chapter 165 (Zoning) of the Code of the Town of Geneva and the Penalty Provisions Applicable to Chapter 165" received from the Town of Geneva.

Resolution No. 46-2022 entitled "Introducing a Local Law and Calling a Public Hearing "Videoconferencing Technology to Participate in Public Meetings" received from the Town of Geneva.

Act No. 252-2022 entitled "Supporting Assembly Bill A.9990 and Senate Bill S.8999 Allowing New York State- Produced Whole and 2% Milk Back into Schools" received from Cattaraugus County.

The April 2022 Report for Happy Tails, Ontario County Humane Society received from Director William Martin.

May- August 2022 VA Finger Lakes Healthcare System Canandaigua VA Medical Center received from Center for Development & Civic Engagement formerly Voluntary Service".

April 2022, Issue 2 of P2P peer to peer received from Feeding New York State.

List of Certified 2022 State Equalization Rates received from Brian Moon, Real Property Analyst 2, NYS Dept. of Taxation and Finance, Office of Real Property Tax Services.

Received from the Ontario County Economic Development Corporation:

- a. Audited Financial Statements Supplementary Information and Independent Auditor's Reports for years ended December 31, 2021 and 2020.
- b. Communicating Internal Control Related Matters Identified in and Audit for Year ended December 31, 2021.

Received from the Ontario County Industrial Development Agency:

- a. Basic Financial Statements for years ended December 31, 2021 and 2020.
- b. Communicating Internal Control Related Matters Identified in an Audit for year ended December 31, 2021.

Received from Ontario County Local Development Corporation:

- a. Communicating Internal Control Related Matters Identified in and Audit for Year ended December 31, 2021.
- b. Audited Financial Statements Supplementary Information and Independent Auditor's Reports for years ended December 31, 2021 and 2020.

Local Law No. 3 (Intro.) of 2022 entitled "Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2023".

COUNTY OF ONTARIO
LOCAL LAW NO. 3 (INTRO) OF 2022

"Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2023"

Be it enacted by the Board of the Supervisors of Ontario County as follows:

SECTION 1: Overriding Tax Levy Limit for 2023.

For fiscal year 2023, the County of Ontario shall override the real property tax levy limit established by Chapter 97 of the Laws of 2011 of the State of New York and may adopt a budget requiring a tax levy that is greater than such tax levy limit.

SECTION 2: This Local Law shall become effective immediately.

Supervisor Richard Russell offered the following resolution and moved for its adoption, seconded by Supervisor Frederick Wille:

**RESOLUTION NO. 327-2022
RESOLUTION ADOPTING LOCAL LAW NO. 2 (INTRO.) OF 2022**

WHEREAS, A public hearing having been held on May 12, 2022, during a duly scheduled meeting of this Board, for public input on a proposed local law entitled "A Local Law to Adjust Weighted Voting"; and

WHEREAS, All public objection or comment presented at the public hearing, if any, having been heard and considered; now, therefore, be it

RESOLVED, That Local Law No. 2 (Intro) of 2022, “A Local Law to Adjust Weighted Voting” is hereby adopted.

Adopted.

Supervisor Richard Russell offered the following resolution and moved for its adoption, seconded by Supervisor Frederick Wille:

**RESOLUTION NO. 328-2022
APPOINTMENT TO THE ONTARIO COUNTY ETHICS BOARD
KRISTINE A. SINGER**

WHEREAS, Ethics Board Member Mr. Patrick Burns has resigned from the Board; and

WHEREAS, Mr. Patrick Burns resignation leaves a vacancy on the Board; and

WHEREAS, Chairman John (Jack) Marren has chosen Ms. Kristine A. Singer to fill the remainder of Mr. Patrick Burns term, expiring on December 31, 2023; and

WHEREAS, Ms. Kristine A. Singer has expressed interest in being appointed to the Ethics Board; and

WHEREAS, The Governmental and Operations Committee recommends Ms. Kristine A. Singer’s appointment; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby appoint Ms. Kristine A. Singer, to the Ontario County Ethics Board to fill the remainder of Mr. Patrick Burns term, which is set to expire on December 31, 2023; and further

RESOLVED, That a certified copy of this resolution be sent by the Clerk of this Board to Ms. Singer and the County Clerk.

Adopted.

Supervisor Richard Russell offered the following resolution and moved for its adoption, seconded by Supervisor James Petropoulos:

**RESOLUTION NO. 329-2022
RESOLUTION ADOPTING LOCAL LAW NO. 4 (INTRO.) OF 2022**

WHEREAS, A public hearing having been held on May 12, 2022, during a duly scheduled meeting of this Board, for public input on a proposed local law entitled “A Local Law to Adopt Amendments to the NYS Open Meetings Law for the Expanded Use of Videoconferencing”; and

WHEREAS, All public objection or comment presented at the public hearing, if any, having been heard and considered; now, therefore, be it

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RESOLVED, That Local Law No. 4 (Intro) of 2022, “A Local Law to Adopt Amendments to the NYS Open Meetings Law for the Expanded Use of Videoconferencing” is hereby adopted.

Adopted.

Supervisor Richard Russell offered the following resolution and moved for its adoption, seconded by Supervisor Frederick Wille:

**RESOLUTION NO. 330-2022
APPOINTMENT OF ALISSA P. BUB
DEPUTY COUNTY ADMINISTRATOR**

WHEREAS, The position of Deputy County Administrator has been vacant since January 1, 2022; and

WHEREAS, The Board of Supervisors appointed a Search Committee to assist evaluating candidates for the position of Deputy County Administrator; and

WHEREAS, The interview process has been concluded by the Search Committee; and

WHEREAS, Based upon the Search Committee’s work, the County Administrator recommends that Ms. Alissa P. Bub be appointed as the Deputy County Administrator for Ontario County; and

WHEREAS, The Governmental Operations & Insurance Committee supports the County Administrator’s recommendation to the Board of Supervisors for the appointment of Ms. Alissa P. Bub; now, therefore, be it

RESOLVED, That Ms. Alissa P. Bub, be, and hereby is, appointed as Deputy County Administrator, for a term commensurate with the County Administrator, effective July 5, 2022 through June 30, 2024; and further

RESOLVED, That Ms. Alissa P. Bub be appointed at the 2022 annual salary of \$116,742 (Band 3, Step 1, of the 2022 Management Compensation Plan); and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to Ms. Alissa P. Bub and the County Clerk.

Adopted.

Supervisor Daniel Marshall offered the following five resolutions as a block and moved for its adoption, seconded by Supervisor Norman Teed:

**RESOLUTION NO. 331-2022
AUTHORIZATION TO ACCEPT
CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT**

NEW YORK STATE DEPARTMENT OF HEALTH 2021-2026

WHEREAS, Ontario County Public Health has been a continuous provider of the Childhood Lead Poisoning Prevention Program as part of its Public Health responsibilities; and

WHEREAS, The New York State Department of Health has provided Ontario County Public Health with a five-year reimbursement grant contract (NYSDOH Contract # C37003GG-3450000; CFDA # 93.994) for Childhood Lead Poisoning Prevention expenses; and

WHEREAS, The grant term is October 1, 2021, through September 30, 2026; and

WHEREAS, The State has determined the reimbursable amount to Ontario County is \$38,800 annually with a total five-year funding amount of \$194,000; and

WHEREAS, The Director of Public Health, the Health and Human Services and Ways & Means Committees have reviewed this resolution at their May 23, 2022 and May 25, 2022 meetings and recommend the resolution to accept this grant contract; now, therefore, be it

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves a five year contract with the New York State Department of Health in the amount of \$194,000 (\$38,800 per year for five years); and further

RESOLVED, That the grant shall cover the period of October 1, 2021 through September 30, 2026; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute said contract and all other documents necessary or appropriate to effectuate the purposes of this resolution; and further

RESOLVED, That the Department of Finance is hereby authorized to make any and all budgetary and accounting entries to affect the intent of this resolution.

**RESOLUTION NO. 332-2022
AMENDMENT TO RABIES CONTROL CONTRACT
NEW YORK STATE DEPARTMENT OF HEALTH 2022-2025**

WHEREAS, It is necessary to amend resolution 137-2021; and

WHEREAS, The initial contract # DOH01-RABIES-2021-00040 and term was incorrect; and

WHEREAS, The correct contract # is C36547GG with a term of April 1, 2022 thru March 31, 2025; and

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WHEREAS, The total funding amount was incorrect; and

WHEREAS, The correct funding amount determined by the State for the 3-year term is \$112,764 with annual reimbursement of \$37,588; and

WHEREAS, The Director of Public Health, the Health and Human Services and Ways & Means Committees have reviewed and recommend this amended resolution at their May 23rd, 2022 and May 25th, 2022 meeting; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors, hereby approves the amended resolution of a 3-year term in the amount of \$112,764 with the New York State Department of Health; and further

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute said contract and all other documents necessary or appropriate to effectuate the purposes of this resolution; and further

RESOLVED, That the Department of Finance is hereby authorized to make any and all budgetary and accounting entries to affect the intent of this resolution:

To:		Revenue	Appropriation
AA4042PL-42705	Donations	+ \$2,500	
AA4042PL-43489	State Aid, Other Public Health	+ \$35,088	
AA4042PL-51700	Full-time Hourly		\$ 770.98
AA4042PL-51800	Part-time Hourly		\$ 1,189.00
AA4042PL-54101	Minor Equipment		\$ 200.00
AA4042PL-54180	Mileage/Day training		\$ 400.00
AA4042PL-54250	Advertising		\$ 1,000.00
AA4042PL-54260	Contracts		\$ 31,028.02
AA4042PL-54950	Supplies, Medical		\$ 1,000.00
AA4042PL-54951	Vaccine		\$ 2,000.00
		+ \$37,588	+ \$37,588

RESOLUTION NO. 333-2022

**AUTHORIZATION TO CONTRACT WITH AGREEMENT
FINGER LAKES HOME CARE, INC. FOR PERSONAL CARE SERVICES
OFFICE FOR THE AGING - 2022-2023**

WHEREAS, The County desires to enter into an agreement with Finger Lakes Home Care, Inc., 756 Pre-Emption Road, Geneva, New York 14456 for Personal Care Level I (Housekeeper/Chore Services) and Personal Care Level II (Homemaker/Personal Care) to provide services for EISEP (Expanded In Home Services for the Elderly Program) and the Caregiver Respite Program; and

WHEREAS, The purpose is to assist older adults remain independent as long as possible by providing assistance with activities of daily living; and

WHEREAS, The County finds it necessary to contract with multiple providers to meet the needs of EISEP and Respite clients and Finger Lakes Home Care, Inc. is one of those providers; and

WHEREAS, The Health and Human Services Committee has reviewed and recommends approval of this resolution; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize a contract between the Office for the Aging and Finger Lakes Home Care, Inc., at the rate of \$35.00 per hour for Personal Care Level I and \$35.05 per hour for Personal Care Level II; and further

RESOLVED, That this Board of Supervisors does hereby authorize a contract for the period April 01, 2022 to March 31, 2023; and further

RESOLVED, That the County Administrator is hereby authorized and directed to sign said agreement.

**RESOLUTION NO. 334-2022
AMENDMENT TO RESOLUTION 185-2022
HOMEMAKERS OF THE GENESEE, DBA,
CAREGIVERS CONTRACT 2022-2023**

WHEREAS, On April 1, 2021 the County entered into an Agreement pursuant to Resolution Number (“Res. No.”) 185-2022 with Homemakers of the Genesee, DBA, Caregivers, 2465 Sheridan Drive, P.O. Box 1264, Buffalo, New York 14240 for personal care services; and

WHEREAS, The County desires to amend the agreement to include “designated aide” services; and

WHEREAS, The Contractor will recruit, manage, and schedule up to two personal care aides who will be assigned exclusively to Office for the Aging’s clients; and

WHEREAS, The designated aide services are intended to alleviate the current waiting list for personal care services at the Office for the Aging; and

WHEREAS, The County will reimburse the Contractor \$36.75 per hour for the designated aide plus an increase in mileage reimbursement of \$.585 per mile for travel by the aide to client homes and for travel required in the service plan, as described in Schedule “A” of the contract; and

WHEREAS, Funding for this service is allocated in the 2022 Office for the Aging budget and the ARPA funding; and

WHEREAS, The Health and Human Services Committee has reviewed this request and has approved this resolution; now, therefore, be it

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RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby authorize this amended contract between the Office for the Aging and Homemakers of the Genesee, DBA, Caregivers for the period of April 1, 2022 – March 31, 2023; and further

RESOLVED, That the County Administrator is hereby authorized and directed to sign said agreement.

**RESOLUTION NO. 335-2022
AUTHORIZATION FOR MEMORANDUM OF UNDERSTANDING
BETWEEN THE OFFICE FOR THE AGING AND
THE COUNCIL ON ALCOHOLISM & ADDICTIONS OF THE FINGER LAKES**

WHEREAS, The Ontario County Office for the Aging (OFA) desires to enter into a Memorandum of Understanding (MOU) with the Council on Alcoholism and Addictions of the Finger Lakes (CAAFL), 620 W. Washington Street, Geneva, NY 14456 to collaborate on the Screening, Brief Intervention and Referral to Treatment (SBIRT) Community Outreach Program; and

WHEREAS, CAAFL has received a grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to implement SBIRT to decrease health disparities via a community outreach model; and

WHEREAS, Addiction in older adults is typically underdiagnosed and underserved and effective treatment presents unique challenges; and

WHEREAS, The Office for the Aging believes that collaborating in the SBIRT Outreach Program with CAAFL will help identify and refer older adults to effective treatment; and

WHEREAS, Participation in this project will have no budgetary impact on the Office for the Aging; and

WHEREAS, The Office for the Aging Director and the Health and Human Services Committee have reviewed this Memorandum of Understanding and recommend its acceptance; now, therefore, be it

RESOLVED, That this Board of Supervisors approves the MOU between the Ontario County Office for the Aging and the Council on Alcoholism and Addictions of the Finger Lakes for the period September 30, 2021 through September 29, 2026; and further

RESOLVED, That upon review and approval of the County Attorney as to form, this Board of Supervisors does hereby approve said MOU; and further

RESOLVED, That the Director of the Office for the Aging is authorized to sign the MOU on behalf of the Office for the Aging; and further

RESOLVED, A copy of this resolution will be sent by the Clerk of the Board to the Council on Alcoholism and Addictions of the Finger Lakes.

The foregoing block of five resolutions was adopted.

Supervisor Andrew Wickham offered the following resolution and moved for its adoption, seconded by Supervisor David Phillips:

RESOLUTION NO. 336-2022
AUTHORIZATION TO PARTICIPATE IN THE NEW YORK STATE CLEAN ENERGY COMMUNITY AND CLIMATE SMART COMMUNITY PROGRAMS

WHEREAS, The New York State Energy Research and Development Authority created the Clean Energy Community Program wherein municipalities can access technical assistance from a Clean Energy Community Coordinator and earn points and access grant funds for implementing energy efficiency and alternative energy projects; and

WHEREAS, The New York State created the Climate Smart Communities program to assist communities in planning and implementing projects in preparing for the impacts of climate change, including many of the same projects and eligible under the Clean Energy Community Program; and

WHEREAS, The 2019 New York State Climate Leadership and Community Protection Act (the Climate Act) established lofty goals for decarbonizing the State's economy, created the state Climate Action Council, and charged that Council with drafting a plan (called a 'Scope') to achieve the Climate Act's goals; and

WHEREAS, The Climate Action Council has released its draft Scope; and

WHEREAS, Between the Climate Act and the draft Scope it is apparent that New York State will

1. make significant funds available for municipalities, including Ontario County, to implement clean energy projects through the Climate Smart Community and Clean Energy Community programs administered by NYSERDA, and
2. begin a transition from recommending clean energy and climate smart community actions and funding to incorporating such actions as regulatory mandates for municipalities; and

WHEREAS, Projects eligible for funding include building energy efficiency improvements, alternative energy projects, solid waste and recycling projects, training for

code enforcement and planning and zoning staff and boards, and general public education programs; and

WHEREAS, Assistance with these programs is available through the Genesee/Finger Lakes Regional Planning Council as the local Clean Energy Community Coordinator at no cost to the County; and

WHEREAS, The Planning and Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That the Director of Planning and the Director of Solid Waste are hereby directed to work together and with the Clean Energy Community Coordinator at Genesee/Finger Lakes Regional Planning Council to document completed projects eligible as high impact actions under the Climate Smart and Clean Energy Programs, identify additional funding and actions available to Ontario County, and review those actions and funding opportunities with the County Administrator for permission to apply; and further

RESOLVED, That this resolution take effect immediately.

Adopted.

Supervisor Andrew Wickham offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor David Phillips:

**RESOLUTION NO. 337-2022
NO COST TIME EXTENSION FOR CONTRACT WITH FISHER ASSOCIATES
TO PREPARE THE MANCHESTER YARD MASTER SITE PLAN
REDEVELOPMENT STRATEGY– PHASE 1**

WHEREAS, Ontario County received an incentive proposal from NYS Empire State Development (NYS ESD) dated August 5, 2019 to accept an Urban and Community Development Program – Working Capital Grant for Project #132,561 in the amount of \$20,000.00 for the preparation of the Manchester Yard Master Site Plan (Project); and

WHEREAS, Resolution No. 573-2019 accepted said Grant and assigned County Identifier Code G19018; and

WHEREAS, Resolution No. 818-2019 authorized the County Administrator to execute a contract with Fisher Associates, P.E., L.S., L.A., D.P.C to prepare said Project; and

WHEREAS, The County entered into an agreement pursuant to Resolution No. 818-2019 ("Agreement") with the Consultant for the preparation of the Manchester Rail Yard Master Site Redevelopment Strategy – Phase 1, which contract provided for an initial term of twelve months ending December 31, 2020; and

WHEREAS, Resolution No. 640-2020 extended the term of said Agreement to end on May 30, 2021 and contained a provision allowing the term to be extended for an additional six months upon approval of the Planning and Environmental Quality Committee; and

WHEREAS, The Planning and Environmental Quality Committee approved a no cost time extension for an additional six-month term ending on November 30, 2021; and

WHEREAS, Resolution No. 691-2021 extended the agreement for an additional two term ending on January 31, 2022 due to delays in obtaining data related to gas and electric utility service from the provider an additional time is needed to complete the analysis and prepare the draft and final report; and

WHEREAS, Additional time is needed to complete the final report; and

WHEREAS, The Planning and Environmental Quality Committee has reviewed this no cost time extension to the contract with Fisher Associates and recommends approval; now, therefore, be it

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a no cost time extension to the consultant services contract with Fisher Associates, P.E., L.S., L.A., D.P.C. to extend the term of said contract to end on July 31, 2022 subject to approval of said amendment by the County Attorney.

**RESOLUTION NO. 338-2022
NO COST TIME EXTENSION FOR CONTRACT WITH JOHN G. WAITE
ASSOCIATES, ARCHITECTS PLLC TO PREPARE THE MANCHESTER YARD
REDEVELOPMENT STRATEGY– PHASE 2: MANCHESTER ROUNDHOUSE
BUILDING CONDITION REPORT**

WHEREAS, Ontario County received a NYS ESD grant an Incentive Proposal from NY Empire State Development (NY ESD) dated February 4, 2020 to accept an Urban and Community Development Program – Working Capital Grant for Project #133,317 (ESD Grant) in the amount of \$15,000.00 to be used for preparation of the Manchester Rail Yard Master Site Redevelopment Strategy – Phase 2 (Phase 2) (ESD Project# 133,317; NYS Consolidated Funding Application # 94693; CFDA# N/A; MUNIS# G20003) to conduct a Building Conditions Report for the Lehigh Valley RR Manchester Roundhouse and Associated Buildings and Assessment of Options for Redevelopment (Project); and

WHEREAS, Pursuant to Resolution No. 539-2020, the County Administrator entered into a contract with John G. Waite Associates, Architects PLLC on October 27, 2020 to complete said report for a term ending on February 28, 2021; and

WHEREAS, Pursuant to Resolution No. 539-2020, the Planning and Environmental Quality Committee approved a no cost time extension for a term ending on July 31, 2021 to allow additional time to complete said Project due to delays in initiating the project due the COVID-19 situation; and

WHEREAS, Pursuant to Resolution No. 407-2021 a no cost time extension was approved for a term ending on October 31, 2021 to complete the project due to the need to conduct additional asbestos sampling and testing to determine the extent of contamination and potential cost of remediation and conduct a public information meeting; and

WHEREAS, Pursuant to Resolution No. 692-2021 a no cost time extension was approved for a term ending on January 31, 2022 to complete the draft and final report; and

WHEREAS, Additional time is needed to complete the review of the draft report and prepare the final report; and

WHEREAS, The Planning and Environmental Quality Committee has recommended approval of this resolution; now, therefore, be it

RESOLVED, That the County Administrator be and hereby is authorized and empowered to execute a no cost time extension to the consultant services contract with John G. Waite Associates, Architects PLLC to extend the term of said contract to end on July 31, 2022 subject to approval of said amendment by the County Attorney.

RESOLUTION NO. 339-2022
RESOLUTION TO DECLARE LEAD AGENCY STATUS FOR 2022-2023
NYS SNOWMOBILE GRANT APPLICATION

WHEREAS, Ontario County has prepared an application for NYS Office of Parks Recreation and Historic Preservation (NYS OPRHP) 2022-2023 Snowmobile Trails Grant-in-Aid Funds (Application); and

WHEREAS, The New York State Department of Environmental Conservation has identified this as an Unlisted Action under the New York State Environmental Quality Review Act (SEQR) and its implementing regulations found at 6 NYCRR Part 617; and

WHEREAS, A draft Short Environmental Assessment Form (SEAF) Part I has been prepared by the County Planning Department and submitted to this Board by the Planning and Environmental Quality Committee for said action; and

WHEREAS, SEQR allows a coordinated review of projects where more than one agency is involved; now, therefore, be it

RESOLVED, That this Board hereby classifies the 2022-2023 Snowmobile Grant-in-Aid application as an Unlisted Action under SEQR; and further

RESOLVED, That this Board hereby establishes its desire to act as lead agency pursuant to SEQR for the environmental review of this action; and further

RESOLVED, That the Clerk of this Board is hereby authorized and empowered to circulate to all interested and involved agencies the draft SEAF with a letter stating this Board's desire to serve as lead agency pursuant to SEQR for the environmental review of this action and soliciting any comments relevant to a determination of significance or objection to this Board serving as lead agency; and further

RESOLVED, That copies of this resolution and the draft SEAF be sent by the Clerk of this Board to the NYS OPRHP Snowmobile Unit and the NYS Department of Environmental Conservation.

The foregoing block of three resolutions was adopted.

Supervisor Robert Green offered the following resolution and moved for its adoption, seconded by Supervisor Todd Campbell:

**RESOLUTION NO. 340-2022
AUTHORIZATION TO ENTER INTO A CONTRACT
WITH ZIMMERMAN AND TYO, LLP**

WHEREAS, This Board of Supervisors, by Resolutions No. 50-2018, 578-2018, and 580-2018, accepted grant funds from the New York State Office of Indigent Legal Services for quality improvements and caseload relief in the provision of indigent legal services in Ontario County; and

WHEREAS, The approved contract for these grants combined provide that \$45,000 per year of the grant funds shall be used to obtain the services of an attorney to act as a mentor to the attorneys in the Office of the Conflict Defender and on the Assigned Counsel Panel; and

WHEREAS, Robert Zimmerman, Esq., of Zimmerman and Tyo, LLP, has agreed to provide said services at the rate of \$150 per hour not to exceed \$50,000.00 for the period July 1, 2022 to June 30, 2023, on the terms and conditions contained in the contract, a copy of which is on file with the Clerk of this Board; and

WHEREAS, The Public Safety Committee has reviewed and approves this contract; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Zimmerman and Tyo, LLP, at the

rate of \$150.00 per hour not to exceed \$50,000.00 for the period of July 1, 2022 to June 30, 2023; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with Zimmerman and Tyo, LLP and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the appropriate Standing Committee; and further

RESOLVED, That the County's Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

Adopted.

Supervisor Frederick Lightfoote offered the following five resolutions as a block and moved for its adoption, seconded by Supervisor Dominick Vedora:

**RESOLUTION NO. 341-2022
CAPITAL PROJECT NO. H057-19
AUTHORIZATION TO CONTRACT FOR
THE PURCHASE OF CARPET TILE
2019 FLCC MAINTENANCE CAPITAL PROJECT**

WHEREAS, Resolution No. 360-2019 established Capital Project No. H057-2019 as the 2019 FLCC Maintenance Capital Project in the amount of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000.00); and

WHEREAS, Said project includes funding for repair and replacement of flooring and doors at Finger Lakes Community College (FLCC); and

WHEREAS, FLCC staff has identified carpet areas of that are in need of replacement due to age and wear; and

WHEREAS, K's Carpet, Inc., 190 Bennington Drive Rochester, NY 14616, submitted quote #8970 dated April 20, 2022 for the purchase of 25 cartons of carpet tile in the amount of Four Thousand Dollars (\$4,000.00) per NYS Contract #PC69410, a copy of which is on file with the Clerk of this Board; and

WHEREAS, FLCC staff will self-perform the installation of the new carpet tile; and

WHEREAS, Sufficient funds exist in the budget of the 2019 FLCC Maintenance Capital Project to fund this purchase; and

WHEREAS, The Public Works Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That subject to review and approval of the County Attorney as to form, the Board of Supervisors hereby accepts the quote from K's Carpet, Inc. for the purchase of 25 cartons of carpet tile in the amount of Four Thousand Dollars (\$4,000.00) and empowers the County Administrator to execute a contract with said firm, for said material, for said amount; and further

RESOLVED, That the cost of said contract shall be paid from line HH H057 19 54491 – General Construction of Capital Project H057-19; and further

RESOLVED, That the term of said contract shall commence on June 3, 2022 and terminate on September 30, 2022; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution for a total project budget of One Million Two Hundred Seventy Nine Thousand Dollars (\$1,279,000.00); and further

RESOLVED, That copies of this resolution be sent by the Clerk of this Board to the County Finance Department and Vice President - Administration and Finance of Finger Lakes Community College.

RESOLUTION NO. 342-2022
CAPITAL PROJECTS H057-19, H081-22 AND H083-22
AWARD OF BID B22046 AND AUTHORIZATION TO CONTRACT FOR
FLCC ELECTRICAL SYSTEMS UPGRADE
2019 FLCC MAINTENANCE CAPITAL PROJECT
2021 FLCC MAINTENANCE CAPITAL PROJECT
2022 FLCC MAINTENANCE CAPITAL PROJECT

WHEREAS, Resolution No. 360-2019 established Capital Project H057-19 as the 2019 FLCC Maintenance Capital Project in the amount of One Million Two Hundred Seventy-Nine Thousand Dollars (\$1,279,000); and

WHEREAS, Said project includes funding for replacement of electrical equipment at the main campus of Finger Lakes Community College; and

WHEREAS, Resolution No. 59-2022 established Capital Project H081-22 as the 2021 FLCC Maintenance Capital Project in the amount of Three Hundred Thousand Dollars (\$300,000) to be used for replacement of electrical equipment at the main campus of Finger Lakes Community College; and

WHEREAS, Resolution No. 296-2022 established Capital Project H083-22 as the 2022 FLCC Maintenance Capital Project in the amount of One Million Dollars (\$1,000,000.00) part of which was intended to be used for replacement of electrical equipment at the main campus of Finger Lakes Community College; and

WHEREAS, Using specifications provided by FLCC, the Purchasing Department released, duly advertised and opened bids for the FLCC Electrical Systems Upgrade as Bid (B22046); and

WHEREAS, Copies of the bid submissions are on file with the Clerk of the Board of Supervisors; and

WHEREAS, Upon the recommendation of the FLCC Director of Facilities and Grounds, the Public Works Committee and the Ways and Means Committee recommend adoption of this resolution; now, therefore, be it

RESOLVED, That the budget of Capital Project H057-19 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH057 19 52550	Signal & Communication	\$246,638. 97	\$0.00	\$246,638. 97
HHH057 19 54053	Construction Inspections	\$3,100.00	\$0.00	\$3,100.00
HHH057 19 54101	Minor Equipment	\$76,961.0 3	\$0.00	\$76,961.0 3
HHH057 19 54260	Consultation & Professional	\$185,000. 00	\$0.00	\$185,000. 00
HHH057 19 54491	General Construction	\$376,900. 00	\$0.00	\$376,900. 00
HHH057 19 54493	Electric	\$300,000. 00	- \$18,620.69	\$281,379. 31
HHH057 19 54494	Plumbing	\$12,000.0 0	\$0.00	\$12,000.0 0
HHH057 19 54521	HVAC	\$12,000.0 0	+ \$18,620.69	\$30,620.6 9
HHH057 19 54602	Equipment Computer Minor	\$26,400.0 0	\$0.00	\$26,400.0 0
HHH057 19 54743	Change Order Contingency	\$35,000.0 0	\$0.00	\$35,000.0 0
HHH057 19 54865	Administration	\$5,000.00	\$0.00	\$5,000.00
Revenues:				
HHH057 19 42397	FLCC Revenue - Other	\$50,000.0 0	\$0.00	\$50,000.0 0
HHH057 19 43297	State Aid	\$639,500. 00	\$0.00	\$639,500. 00
HHH057 19 45031	A - Interfund Transfer	\$589,500. 00	\$0.00	\$589,500. 00

and further

RESOLVED, That the budget of Capital Project H081-22 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH081 22 54260	Consultation & Professional	\$25,000.0 0	- \$25,000.00	\$0.00
HHH081 22 54493	Electric	\$275,000. 00	+ \$25,000.00	\$300,000. 00
Revenues:				
HHH081 22 43297	State Aid	\$150,000. 00	\$0.00	\$150,000. 00
HHH081 22 45031	General Fund - Interfund Transfer	\$150,000. 00	\$0.00	\$150,000. 00

and further

RESOLVED, That the budget of Capital Project H083-22 be, and hereby is, amended as follows:

Line	Description	Current Budget	Change	Revised Budget
Appropriations:				
HHH083 22 54491	General Construction	\$176,400. 00	- \$90,547.75	\$85,852.2 5
HHH083 22 54493	Electric Work	\$320,000. 00	+ \$90,547.75	\$410,547. 75
HHH083 22 54495	Architectural & Engineering	\$25,000.0 0	+ \$0.00	\$25,000.0 0
HHH083 22 54521	HVAC	\$433,600. 00	+ \$0.00	\$433,600. 00
HHH083 22 54743	Change Order Contingency	\$40,000.0 0	\$0.00	\$40,000.0 0
HHH083 22 54865	Administration	\$5,000.00	+ \$0.00	\$5,000.00
Revenues:				
HHH083 22 43297	State Aid	\$500,000. 00	\$0.00	\$500,000. 00
HHH083 22 45031	General Fund - Interfund Transfer	\$500,000. 00	\$0.00	\$500,000. 00

and further

RESOLVED, That subject to review and approval by the County Attorney, as to form, the Board of Supervisors hereby accepts the following bids from the following vendors for the following contracts and amounts as the low responsive/responsible bids submitted for bid B22046 and authorizes the County Administrator to execute a contract with said firms for said amounts:

Contract	Firm	Address	Amount of Bid
Electric Work	Ferguson Electric Service Co., Inc.	321 Ellicott St. Buffalo, NY 14203	\$966,375.00
HVAC Work	Bell Mechanical Contractor, Inc.	105 Lincoln Pkwy East Rochester, NY	\$26,600.00

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and

RESOLVED, That the term of said contracts shall commence June 03, 2022 and terminate December 31, 2023; and further

RESOLVED, That the cost of the contract with Ferguson Electric Service Co., Inc. be split among three capital projects as follows:

A. From the 2019 FLCC Maintenance Capital Project: Two Hundred Fifty-Five Thousand Eight Hundred Twenty Seven Dollars and Twenty Five Cents (\$255,827.25) to be paid from budget line HHH057 19 54493 – Electric, and

B. From the 2021 FLCC Maintenance Capital Project: Three Hundred Thousand Dollars (\$300,000.00) to be paid from budget line HHH081 22 54493 – Electric, and

C. From the 2022 FLCC Maintenance Capital Project: Four Hundred Ten Thousand Five Hundred Forty-Seven Dollars and Seventy-Five Cents (\$410,547.75) to be paid from budget line HHH083 22 54493 – Electric; and further

RESOLVED, That the cost of the contract with Bell Mechanical Contractor, Inc. shall be paid from the 2019 FLCC Maintenance Capital Project line HHH057 19 54521 HVAC; and further

RESOLVED, That the Department of Finance is directed to make all necessary budget and accounting entries to effect the intent of this resolution for a total project budget of One Million Two Hundred Seventy Nine Thousand Dollars (\$1,279,000.00) for capital project H057-19, a total project budget of Three Hundred Thousand Dollars (\$300,000.00) for capital project H081-22 and a total project budget of One Million Dollars (\$1,000,000.00) for capital project H083-22; and further

RESOLVED, That the vendor, Ferguson Electric Co., Inc. shall prepare separate invoices during the course of the contract to be paid from each capital project as identified herein; and further

RESOLVED, That the Change Order Contingency available in the 2019 FLCC Maintenance Capital Project and the Change Order Contingency available in the 2022 FLCC Maintenance Capital Project be made available for any change orders found necessary by the FLCC Director of Facilities and Grounds pursuant to the Ferguson Electric Contract under the rules previously established for use of said change order contingency for each respective capital project; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the County Finance Department and the Vice President - Administration and Finance of Finger Lakes Community College.

**RESOLUTION NO. 343-2022
AUTHORIZING CONTRACT WITH BARTON & LOGUIDICE, DPC
FOR PROFESSIONAL SERVICES FOR
COUNTY ROAD 18 SERVICE AREA SEWER STUDY
CANANDAIGUA LAKE COUNTY SEWER DISTRICT**

WHEREAS, Resolution No. 199-2021 provided authorization to enter into on-demand contracts with engineering firms for project assistance for Ontario County Department of Public Works; and

WHEREAS, Resolution No. 264-2022 provided a renewal of said on-demand contracts for the period of April 20, 2022 through April 19, 2023; and

WHEREAS, Barton & Loguidice, DPC (“Barton & Loguidice”) is named as an approved engineering firm on the on-demand list; and

WHEREAS, The Sunset Ridge Estates (a.k.a. Canandaigua Shores) development is currently being considered by the Towns of Canandaigua and Hopewell; and

WHEREAS, The development proposes to extend sanitary sewer from NY 364 to County Road 18 within the Canandaigua Lake County Sewer District (“District”); and

WHEREAS, The District proposes to complete a sewer study to understand the potential opportunities for providing sanitary sewer service within the Towns of Hopewell and Gorham along County Road 18 that could benefit from providing future sewer capacity in the proposed development’s sanitary sewer system; and

WHEREAS, Barton & Loguidice was called upon under the terms of the on-demand engineering service contract to provide professional services relative to the aforementioned sewer study; and

WHEREAS, Barton & Loguidice has prepared a scope of services and fee proposal for the County Road 18 Service Area sewer study; and

WHEREAS, Barton & Loguidice cost proposal for the project is \$30,700; and

WHEREAS, This Project is estimated to cost \$33,770 which includes a 10% contingency of \$3,070; and

WHEREAS, District staff have reviewed and approved the project scope and the corresponding price proposal; and

WHEREAS, Sufficient funding exists in the District’s Capital Improvement Plan budget to fund said contract (G1811099 54260); and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with Barton & Loguidice, DPC of 11

Centre Park, Suite 203, Rochester, NY 14614 for a cost not to exceed \$30,700; and further

RESOLVED, That the contract shall commence June 3, 2022 and shall terminate on or before September 30, 2022; and further

RESOLVED, That if a no-cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Public Works Committee; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute a contract with Barton & Loguidice for said services and any other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the Department of Finance is authorized to make all necessary budgetary and accounting entries to effect the intent of this resolution.

RESOLUTION NO. 344-2022
AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR
HONEOYE LAKE PUMP AND COLLECTION PUMP STATION EVALUATION
CONSOLIDATED FUNDING APPLICATION NO. 108739

WHEREAS, The NYS Environmental Facilities Corporation (EFC) has awarded Ontario County an Engineering Planning Grant (EPG) for a Honeoye Lake Pump and Collection Pump Station Evaluation for the Honeoye Lake Consolidated County Sewer District (the "Project") through the 2021 Regional Economic Development Councils Round 11 Initiative to receive up to \$100,000 in funding; and

WHEREAS, Resolution No. 63-2022 authorized the County Administrator to execute an Engineering Planning Grant agreement with the New York State Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill Ontario County's obligations under said Grant Agreement; and

WHEREAS, Resolution No. 64-2022 authorized & appropriated the minimum 20 percent local match as required by the Engineering Planning Grant Program for the proposed Project; and

WHEREAS, Per Resolution No. 65-2022 the Board of Supervisors determined that the proposed Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) subparagraph (24) and (27); and

WHEREAS, Resolution No. 64-2022 specified local match must be at least 20 percent of the Engineering Planning Grant award of \$100,000; and

WHEREAS, Resolution No. 64-2022 specified that the source of said local match, and any amount in excess of the required match, shall be the Honeoye Lake County Consolidated Sewer District Capital Improvement Project funds; and

WHEREAS, Resolution No. 64-2022 specified that maximum local match shall not exceed \$100,000 based upon a total estimated maximum project cost of \$200,000; and

WHEREAS, Resolution No. 64-2022 specified that the County Administrator may increase said local match through the use of in-kind services without further approval from the Board of Supervisors; and

WHEREAS, The Department of Public Works received qualification-based proposals from interested engineering firms for term services; and

WHEREAS, A selection committee was established by the Department of Public Works to review said proposals received from interested engineering firms; and

WHEREAS, Arcadis of New York, Inc., (“Arcadis”) 100 Chestnut Street, Suite 1020, Rochester, New York 14604, having demonstrated a thorough understanding of the Project, most relevant experience, staff expertise, and providing an acceptable proposal, was determined to be the firm best qualified to perform this work; and

WHEREAS, Arcadis cost proposal for the project is \$199,500; and

WHEREAS, This Project is estimated to cost \$200,000 which includes a contingency of \$500; and

WHEREAS, There are adequate funds in Honeoye Lake County Consolidated Sewer District Capital Improvement Plan budget to fund the local match for said contract with Arcadis; and

WHEREAS, The Public Works Committee and Ways and Means Committee have reviewed this resolution and recommend its approval; now, therefore, be it

RESOLVED, That the 2022 Capital Improvement Plan be amended to include a project for the Honeoye Lake Pump and Collection Pump Station Evaluation for the Honeoye Lake Consolidated County Sewer District; and further

RESOLVED, That the following budget transfer is hereby approved:

G5812099 54491	General Construction	-\$100,000.00
G5812099 54260	Consultation & Professional	+\$200,000.00
G5812099 43902	State Aid, Planning Grant	+\$100,000.00

and further

RESOLVED, That upon review and approval by the County Attorney as to form, the Board of Supervisors hereby approves a contract with Arcadis of New York, Inc., for Professional Services associated with Project for a cost not to exceed \$199,500, said contract will expire June 2, 2023; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, for these contracts, the Board of Supervisors hereby approves such extension subject to review and approval by the Public Works Committee; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with Arcadis of New York, Inc., and all other documents necessary to effectuate the purpose of this resolution; and further

RESOLVED, That the Commissioner of Public Works is authorized, to make necessary adjustments in the work and to initiate field changes to complete the proposed work, within the fund limits of the contract's contingency, and to report such use of the contract contingency to the Public Works Committee and to the Finance Office; and further

RESOLVED, That the Commissioner of Public Works, be and hereby is, authorized and empowered to execute any and all documents necessary or appropriate to effectuate adjustments or change orders to the original contract within the limits agreed to in this resolution, subject to review and approval by the Office of the County Attorney; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this resolution; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the President and CEO of the New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997, and Arcadis of New York, Inc., 100 Chestnut Street, Suite 1020, Rochester, New York 14604.

RESOLUTION NO. 345-2022
RESOLUTION OF THE ONTARIO COUNTY BOARD OF SUPERVISORS
AUTHORIZING A FIXING DATE AND NOTICE FOR PUBLIC HEARING FOR
PROPOSED PROJECT INCREASES TO
THE HONEOYE LAKE COUNTY CONSOLIDATED SEWER DISTRICT

WHEREAS, On the 29th day of November 1990, the Board of Supervisors of the County of Ontario, New York (the "Board"), adopted a Final Order establishing the Honeoye Lake County Consolidated Sewer District (the "District") pursuant to Chapter 533 of the Laws of 1990; and

WHEREAS, Through Resolutions 505-2019 and 764-2019, the Board determined the public interest would be served by an increase and improvement of facilities in the District and that the additional amounts expended for such purposes would not be an undue burden upon the property of the District; and

WHEREAS, The Board further determined all real property to be so assessed for the cost of proposed improvements would benefit by the improvements and that no benefited property had been excluded; and

WHEREAS, The Board approved the submission of an application to the NYS Office of State Comptroller (the "Application") through Resolution 505-2019; and

WHEREAS, Approval of the Application was made by Order of the NYS Office of State Comptroller dated May 28, 2020; and

WHEREAS, The Covid 19 Pandemic resulted in various delays for the project, including a delay in the administration of grant funding; and

WHEREAS, The delays suffered resulted in an increase in associated costs; and

WHEREAS, The Department of Public Works (the "DPW") has advised additional money is needed to satisfy the Schedule of Compliance contained in State Pollutant Discharge Elimination System Discharge Permit No. NY0107255 authorized for the District, having an effective date of November 1, 2017; and

WHEREAS, The Schedule of Compliance requires that the District plan, design and construct improvements to the Honeoye Lake Wastewater Treatment Plant that eliminate overflows from the equalization basins and provide effluent disinfection; and

WHEREAS, The DPW has prepared and filed with the Board, a report detailing the improvements and prepared an estimate of the costs; and

WHEREAS, The original estimated maximum cost of the project was estimated to be \$8,750,000; and

WHEREAS, The DPW has estimated that the cost of the project be increased by an additional \$1,400,000 to be in a new estimated maximum amount of \$10,150,000; and

WHEREAS, The County intends to pay for such increased maximum amount through a combination of additional grant funds from the New York State Environmental Facilities Corporation and through the use of other available County funds; and

WHEREAS, The Public Works Committee (the "PWC") has considered and has approved this Resolution; now, therefore, be it

RESOLVED, That pursuant to proceedings prescribed in Section 268 of the County Law of the State of New York (the "County Law"); and further

RESOLVED, That a public hearing shall be held at the 74 Ontario Street, Canandaigua, Ontario County, New York on the 23rd day off June 2022 at 6:30 pm for the purpose of conducting a public hearing upon the proposed cost increase of said project, and for such other action on the part of the Board; and be it further

RESOLVED, That notice of such public hearing shall be made in accordance with County Law; and be it further

RESOLVED, Certified copies of this Resolution be sent to the DPW, the Department of Finance and the County Attorney's Office.

The foregoing block of five resolutions was adopted.

Supervisor Frederick Lightfoote offered the following three resolutions as a block and moved for its adoption, seconded by Supervisor Dominick Vedora:

RESOLUTION NO. 346-2022
AWARD OF CONTRACT FOR DESIGN PHASE SERVICES FOR
THE UPGRADE OF THE HEATING SYSTEM AT ONTARIO COUNTY
COURTHOUSE TO MCFARLAND-JOHNSON, INC.

WHEREAS, The County has identified the need to upgrade the aging heating system at the Ontario County Courthouse; and

WHEREAS, The 2022 Capital Improvement Plan includes funding for Heating System Upgrade at the Courthouse with \$50,000 of funding in 2022; and

WHEREAS, McFarland-Johnson, Inc. has previously completed an assessment of the existing heating system at Ontario County Courthouse in accordance with Resolution No. 355-2018 and has demonstrated a thorough understanding of the requested services necessary for the upgrade of the heating system; and

WHEREAS, Public Works solicited a proposal from McFarland-Johnson, Inc. for design of the HVAC system replacements at the Ontario County Courthouse; and

WHEREAS, McFarland-Johnson, Inc. has provided a proposal for these services for a not-to-exceed fee of \$74,454.80; and

WHEREAS, The total cost is estimated to be \$75,454.80 which includes a contingency of \$1,000; and

WHEREAS, There are adequate funds in Buildings & Grounds Capital Improvement Plan budget to fund said contract with McFarland-Johnson; and

WHEREAS, The Public Works Committee has reviewed this resolution and recommends its approval; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby approves a contract with McFarland-Johnson, Inc. at a cost not to exceed \$74,454.80; and further

RESOLVED, That the contract shall commence on June 6, 2022 and will expire on December 30, 2022; and further

RESOLVED, That if a no cost time extension of up to six (6) months is necessary, the Board of Supervisors hereby approves such extension subject to review and approval by the Public Works Committee; and further

RESOLVED, That the Commissioner of Public Works is authorized to make necessary adjustments and to initiate change orders to complete the proposed work, within the limits of the contract contingency, and to report such use of the contract contingency to the Public Works Committee and the Finance Department; and further

RESOLVED, That the County Administrator be, and hereby is, authorized and empowered to execute the Agreement with McFarland-Johnson, Inc. and all other documents necessary to effectuate the purposes of this resolution; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to effect the intent of this resolution.

RESOLUTION NO. 347-2022
AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO
ROCHESTER RIGGING & ERECTORS, INC. FOR VEHICLE HOIST REPAIRS
AT COUNTY TRANSPORTATION CENTER

WHEREAS, Vehicle hoists at the County Transportation Center are in need of repair; and

WHEREAS, Buildings and Grounds has solicited quotes for said vehicle hoist repairs and received one quote and two responses declining to quote due to workload volume; and

WHEREAS, Rochester Rigging & Erectors, Inc. has been determined to be the lone responsive, responsible quoter for the repairs with a cost of \$9,615.00; and

WHEREAS, With a project contingency of \$1000.00, the total project cost is estimated to be \$10,615.00; and

WHEREAS, The Public Works Committee has reviewed this proposal and recommends its acceptance; now, therefore, be it

RESOLVED, The Ontario County Board of Supervisors hereby authorizes the acceptance of this quote from Rochester Rigging & Erectors, Inc. of 7819 State Route 5 and 20, Bloomfield, NY 14469 for vehicle hoist repair services per the quote on file with the Clerk of this Board; and further

RESOLVED, That the Commissioner of Public Works is authorized to make necessary adjustments and to initiate field changes to complete the proposed work, within the fund limits of the contract's contingency, and to report such use of contract contingency to the Public Works Committee and to the Finance Office; and further

RESOLVED, That the Department of Finance is authorized to make the necessary accounting and budget entries to affect the intent of this resolution.

RESOLUTION NO. 348-2022
RESOLUTION TO APPROVE SPECIAL USE APPLICATION FOR FACILITY
USE AT ONTARIO COUNTY GANNETT HILL PARK BY SCOTT MAGEE FOR
TWISTED BRANCH TRAIL RUN ULTRA MARATHON

WHEREAS, Scott Magee, Race Director, has made a Special Use Application to start the “Twisted Branch Trail Run Ultra Marathon” at Ontario County Gannett Hill Park on August 19 & 20, 2022; and

WHEREAS, Under Section twenty-eight (B) of the Park Law, the Commissioner of Public Works proposed regulations to issue Special Use Permits for certain activities that involve commercial type activities, like the one proposed by Scott Magee; and

WHEREAS, These regulations were reviewed by the Public Works and Government Operations Committee and approved by the Board of Supervisors by Resolution No. 556-2017; and

WHEREAS, A Special Use Application by Scott Magee was received and reviewed by the Commissioner of Public Works and is recommended to the Public Works Committee and Board of Supervisors that its permit be approved; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the application by Scott Magee, 1460 W. Bloomfield Rd., Honeoye Falls 14472 to hold the “Twisted Branch Trail Run Ultra Marathon” event at Ontario County Gannett Hill Park upon final review and approval by the County Attorney’s Office; and further

RESOLVED, That a copy of this resolution be sent by the Clerk of this Board to Scott Magee.

The foregoing block of three resolutions was adopted.

Supervisor David Baker offered the following resolution and moved for its adoption, seconded by Supervisor Andrew Wickham:

RESOLUTION NO. 349-2022
APPORTIONMENT OF MORTGAGE TAX

WHEREAS, The amount received by the County Clerk from mortgage taxes for the period October 1, 2021, through March 31, 2022 was \$2,338,203.50 and the County’s share to be distributed among the several tax districts in the County amounts to the sum of \$2,324,945.84 including interest earned less County Clerk’s expense; now, therefore, be it

RESOLVED, That pursuant to Section 261 of the Tax Law, the County Treasurer be, and hereby is, authorized and directed to issue checks for the distribution thereof to the several districts in the County of Ontario entitled thereto, as set forth below:

CITIES, TOWNS, VILLAGES

		Distributed to Villages	Distributed to Cities & Towns
3895	Bristol		\$ 40,924.63
3897	Canadice		\$ 32,139.23
0708	Canandaigua City		\$480,623.32
3899	Canandaigua Town		\$313,276.59
4081	Bloomfield Village	\$ 8,639.93	
3893	East Bloomfield		\$ 56,530.45
3902	Farmington		\$254,788.61
0705	Geneva City		\$ 91,934.76
3904	Geneva Town		\$ 44,861.19
4088	Rushville Village	\$ 708.76	
3906	Gorham		\$ 84,709.16
3908	Hopewell		\$ 39,514.18
4080	Clf Spg T/Man	\$ 5,412.51	
4083	Manchstr T/Man	\$ 4,894.02	
4089	Shortsvil T/Man	\$ 4,232.03	
3910	Manchester Town		\$ 44,873.65
4084	Naples Village	\$ 7,637.24	
3912	Naples Town		\$ 44,911.11
4086	Phelps Village	\$ 6,452.73	
4080	Clif Spg T/Phelps	\$ 2,293.24	
3928	Phelps Town		\$ 54,763.38
3915	Richmond		\$ 59,247.65
3918	Seneca		\$ 33,962.83
3921	South Bristol		\$ 80,908.13
4087	Victor Village	\$ 25,947.81	
3923	Victor Town		\$468,292.33
3925	West Bloomfield		\$ 32,466.37
	TOTALS	\$ 66,218.27	\$ 2,258,727.57
	Total Villages/Cities/Towns		\$ 2,324,945.84

and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to the Finance Department.

Adopted.

Supervisor David Baker offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Daniel Marshall:

**RESOLUTION NO. 350-2022
ABOLISH TWO CORRECTION OFFICER POSITIONS AND**

CREATE TWO CORRECTION OFFICER (SPANISH SPEAKING) POSITIONS

WHEREAS, Sheriff Philip C. Povero has requested that two (2) vacant positions of Correction Officer be abolished and that two (2) positions of Correction Officer (Spanish Speaking) be created; and

WHEREAS, The Director of Human Resources has classified two (2) positions of Correction Officer (Spanish Speaking) by Personnel Officer Classification Certification No. 33-2022; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee recommend the positions be abolished and created as requested by the Sheriff; and

WHEREAS, Sufficient funds exist within the Office of Sheriff Budget for these position changes; now, therefore, be it

RESOLVED, That the Ontario County Board of Supervisors does hereby authorize the following:

- a. The abolishment of two (2) vacant Correction Officer positions (#5000024 and #5000091); and
- b. The creation of two (2) positions of Correction Officer (Spanish Speaking) effective upon adoption; and
- c. That the two new Correction Officer (Spanish Speaking) positions may be filled immediately; and further be it

RESOLVED, That the Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

**RESOLUTION NO. 351-2022
CREATE TWO (2) DATA COLLECTOR POSITIONS**

WHEREAS, Ms. Donna LaPlant, Director of Real Property Tax Services II, has filed a New Position Duties Statement with the Director of Human Resources for two positions she would like to create to provide real property tax assessment services to municipalities who contract with the County for said services; and

WHEREAS, Said positions have been classified, as Data Collector by Personnel Officer Classification Certification No. 36-2022; and

WHEREAS, The anticipated costs for these new positions will range from \$82,000 to \$88,000, for the remainder of 2022 which costs were not accounted for in the 2022 department budget; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee recommend the creation of these positions; now, therefore, be it

RESOLVED, That two (2) positions of Data Collector are hereby created, effective upon adoption to be funded with monies from contracts with Towns for real property tax assessment services; and further

RESOLVED, That the positions of Data Collector shall be allocated to Grade A07 in the CSEA salary schedule and is authorized to be filled immediately and said positions shall be sunset when sufficient contract funds are no longer available to support the positions; and further

RESOLVED, That the Ontario County Department of Finance is authorized to make the necessary budgetary and accounting entries to affect the intent of this resolution.

**RESOLUTION NO. 352-2022
CREATE HUMAN RESOURCES CLERK POSITION AND
ABOLISH SENIOR HUMAN RESOURCES ANALYST POSITION**

WHEREAS, Ms. Michele O. Smith, Director of Human Resources, has filed a New Position Duties Statement to create a position; and

WHEREAS, The Department of Human Resources has classified a position of Human Resource Clerk by Personnel Officer Classification Certification No. 40-2022; and

WHEREAS, Ms. Smith has proposed to create this position and abolish a vacant Senior Human Resources Analyst position; and

WHEREAS, Sufficient funding exists within the Human Resources Department budget for this position change; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee recommend the positions be created and abolished as requested; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby create one position of Human Resource Clerk effective upon adoption and is authorized to be filled immediately; and further

RESOLVED, That the vacant Senior Human Resources Analyst (#1058001) position shall be abolished effective immediately; and further

RESOLVED, That the Department of Finance is authorized to make the necessary budgetary and accounting entries to effect the intent of this resolution.

RESOLUTION NO. 353-2022

CREATE ASSISTANT PURCHASING DIRECTOR POSITION

WHEREAS, Ms. Debra S. Gierman, Purchasing Director, has filed a New Position Duties Statement with the Director of Human Resources for a position she would like to create; and

WHEREAS, Said position has been classified as Assistant Purchasing Director by Personnel Officer Classification Certification No. 37-2022; and

WHEREAS, The anticipated costs of this new position will increase the 2022 operational budget approximately \$1,200, which costs were not accounted for in the 2022 department budget; and

WHEREAS, The Management Compensation Plan Committee and the Ways and Means Committee recommend the creation of this position to be filled on a temporary basis for no more than 6 months with benefits; now, therefore, be it

RESOLVED, That the position of a full-time Assistant Purchasing Director is hereby created, effective upon adoption to be funded with Fund Balance; and further

RESOLVED, That the position of Assistant Purchasing Director shall be allocated to Band 10 in the Management Compensation Plan and is authorized to be filled immediately on a temporary basis not to exceed 6 months from time of appointment; and further

RESOLVED, That the Ontario County Department of Finance is authorized to make the necessary budgetary and accounting entries to affect the intent of this resolution.

The foregoing block of four resolutions was adopted.

Supervisor David Baker offered the following resolution and moved for its adoption, seconded by Supervisor Andrew Wickham:

RESOLUTION NO. 354-20225
MEMORANDUM OF AGREEMENT 3-2022
ONTARIO COUNTY GENERAL UNIT, C.S.E.A.

WHEREAS, Ontario County is currently a party to a labor agreement with the Ontario County General Unit, C.S.E.A., with said Agreement expiring December 31, 2025; and

WHEREAS, An agreement has been reached with respect to the creation of the position of “Assistant Purchasing Director” and its exclusion from the bargaining unit; and

WHEREAS, The Ways and Means Committee recommends the approval of this resolution; now, therefore, be it

RESOLVED, That Memorandum of Agreement No. 3-2022, excluding the title of Assistant Purchasing Director from the bargaining unit, is hereby approved with the above-named unit effective upon creation of the position; and further

RESOLVED, That the County Administrator is authorized to execute this Memorandum of Agreement; and further

RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Melodie Yannotti, President of the C.S.E.A. Unit, and to the Director of Human Resources, and to the County Attorney.

Supervisor David Baker made the motion, seconded by Supervisor Andrew Wickham to amend Resolution No. 354-2022, as follows:

RESOLUTION NO. 354-2022
MEMORANDUM OF AGREEMENT 4-2022
ONTARIO COUNTY GENERAL UNIT, C.S.E.A.
AS AMENDED

WHEREAS, Ontario County is currently a party to a labor agreement with the Ontario County General Unit, C.S.E.A., with said Agreement expiring December 31, 2025; and

WHEREAS, An agreement has been reached with respect to the creation of the position of “Assistant Purchasing Director” and its exclusion from the bargaining unit; and

WHEREAS, The Ways and Means Committee recommends the approval of this resolution; now, therefore, be it

RESOLVED, That Memorandum of Agreement No. 4-2022, excluding the title of Assistant Purchasing Director from the bargaining unit, is hereby approved with the above-named unit effective upon creation of the position; and further

RESOLVED, That the County Administrator is authorized to execute this Memorandum of Agreement; and further

RESOLVED, That copies of this resolution shall be sent by the Clerk of this Board to Melodie Yannotti, President of the C.S.E.A. Unit, and to the Director of Human Resources, and to the County Attorney.

The foregoing amendment was adopted.

Resolution No. 354-2022, as amended, was adopted.

Supervisor David Baker offered the following four resolutions as a block and moved for its adoption, seconded by Supervisor Robert Green:

JUNE 2, 2022

**RESOLUTION NO. 355-2022
AMENDED 2022 RATES OF PAY FOR PART-TIME
HOURLY/DAILY PERSONNEL**

WHEREAS, Pursuant to Resolution No.324-2021 the rates of pay for part-time hourly personnel to be paid in 2022 were established; and

WHEREAS, The rate of pay for Community Aides and Community Aides, part-time were established at the New York State (NYS) Minimum Wage (upstate non-fast food) rate; and

WHEREAS, The non-fast food rate is currently \$13.20 per hour and the NYS Minimum Wage rate for fast-food is \$15.00 per hour and the difference in rates makes it difficult to recruit applicants for these positions; and

WHEREAS, The Workforce Investment Board has amended its pay policy effective May 18, 2022 to allow a range of pay for these positions with the minimum being the NYS Minimum Wage Rate and the maximum being the NYS Prevailing Wage Rate; and

WHEREAS, In order to recruit candidates for this position in 2022 the rate should be amended to the NYS Minimum Wage Rate (fast-food); now therefore be it

RESOLVED, That the Board of Supervisors does hereby adopt the attached pay schedule entitled, "AMENDED 2022 Rates of Pay for Part-Time Hourly/Daily Personnel," effective January 1, 2022.

AMENDED

2022 Rates of Pay for Part-Time Hourly/Daily Personnel

TITLE	DEPARTMENT	WAGE/hr effective 1/1/21	WAGE/hr effective 1/1/22
Human Services Worker, Seasonal	Social Services	\$17.04	18.78
Community Aide & Com Aide, P-T	Workforce Development	\$12.50	\$15.00
Examination Monitor, Part-Time	Human Resources	\$12.50	\$15.00
Student Aide	HR/Public Works	\$12.50	\$15.00
IT/HR/Public Works Student Intern	IT/HR/PW	\$16.39	18.89
Legal Aide	County Attorney	\$16.54	19.04
Fire Training Aide, part- time	Emergency Management	\$18.54	18.89
Motor Equipment Operator I, Seasonal	Public Works	\$18.18	20.21
Aquatics Supervisor	Public Works	\$14.90	18.63
Senior Lifeguard	Public Works	\$14.00	17.13
Lifeguard	Public Works	\$13.50	15.63

Laborer, Seasonal	Public Works	\$14.40	18.01
Weed Harvester Operator, Seasonal	Planning	\$19.97	20.21
Client Transportation Driver, on-call sub	Social Services	\$15.92	18.40
Bus Driver, Substitute	Office for the Aging	\$14.04	15.63
Food Site Aide, PT	Office for the Aging	\$12.50	\$15.00
Election Clerk	Board of Elections	\$12.50	\$15.00
Election Custodian	Board of Elections	\$15.01	\$17.51
Election Technician	Board of Elections	\$17.15	\$19.65
Election Inspector	Board of Elections	Per Res.	
Clerk, Part-Time	Public Health/Rabies	\$12.50	\$15.00
Medical Director, Part-Time	Public Health	\$100.00	120.00
Psychiatrist	Mental Health	\$162.00	175.00
Clerk, Seasonal	Social Services	\$14.04	15.63
Registered Prof. Nurse, On-call, Substitute	Sheriff	\$26.70	27.36
Part-time hours for titles in MCP Plan	Various	Varies by title	

RESOLUTION NO. 356-2022
AUTHORIZATION FOR COUNTY TREASURER'S OFFICE TO COLLECT
SCHOOL TAXES FOR GENEVA CITY SCHOOL DISTRICT

WHEREAS, The Ontario County Treasurer's Office desires to collect 2022-2023 real property taxes for the Geneva City School District; and

WHEREAS, The Treasurer's Office will provide for collection of taxes Monday through Friday; and

WHEREAS, The parties wish to enter into an agreement establishing the obligations and commitments for this service; and

WHEREAS, The Ways and Mean Committee recommends this agreement; now, therefore, be it

RESOLVED, That upon review and approval of the County Attorney as to form, the Board of Supervisors hereby authorizes an agreement with the Geneva City School District, effective July 1, 2022 for the County's collection of taxes; and further

RESOLVED, That the term of said agreement shall be for one year and shall terminate on or before June 30, 2023 with the option for annual renewals with the agreement of both parties; and further

RESOLVED, That there will be no County cost associated with this agreement; and further

RESOLVED, That the County Administrator shall be authorized to sign this agreement and any other documents necessary to effectuate the purpose of this resolution.

RESOLUTION NO. 357-2022
RENEWAL OF CONTRACT WITH THE IDEA WORKS OF NY, INC., TO
PROVIDE PROMOTIONAL ITEMS FOR VARIOUS COUNTY DEPARTMENTS

WHEREAS, Ontario County has a need for promotional items for Rewards & Recognition as well as the various programs provided by county departments each year; and

WHEREAS, To ensure use of one vendor for these items and allow tracking of the annual spending a Request for Proposals (R19047) was awarded to The Idea Works of NY, Inc., 109 Despatch Drive, East Rochester, New York 14445 with a 30% gross profit margin mark up, based on best net price attained from the various vendors/products they represent with setup and shipping quoted for each order, per Res 513-2019 and Res 361-2021; and

WHEREAS, The RFP offered the option for a final twelve (12) month renewal if mutually agreeable by both parties and The Idea Works of NY, Inc. has agreed to renew this award for an additional (12) months at the same pricing structure; and

WHEREAS, The Ways and Means Committee concurs with the recommendation to renew the award to The Idea Works of NY, Inc., now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves that the contract renewal for promotional items with The Idea Works of NY, Inc., 109 Despatch Drive, East Rochester, New York 14445 beginning August 26, 2022 and expiring August 25, 2023; and further

RESOLVED, That certified copies of this resolution be sent by the Clerk of this Board to The Idea Works of NY, Inc., sdunnigan@theideaworks-ny.com

RESOLUTION NO. 358-2022
AUTHORIZATION TO PARTICIPATE IN THE COOPERATIVE BID FOR
NETWORKED COPIERS COORDINATED BY EASTERN SUFFOLK BOCES

WHEREAS, Eastern Suffolk BOCES located at 201 Sunrise Highway, Patchogue, New York, 11772, has submitted a proposed "Resolution A" for Ontario County

continued participation in the networked copier bid (2020-044-0502) for the Toshiba copiers Ontario County leases; and

WHEREAS, The Ontario County Purchasing Department deems it to be in the best interest of the taxpayers of Ontario County to participate in said cooperative bids for a fee of \$585 for the period of July 1, 2022 through June 30, 2023; now, therefore, be it

RESOLVED, That the Purchasing Director be, and hereby is, authorized and directed to sign the "Resolution A".

The foregoing block of four resolutions was adopted.

On motion of Supervisor Daniel Marshall, seconded by Norman Teed, the meeting was adjourned at 7:07 pm.